

## UNITED STATES DISTRICT COURT

District of MassachusettsRICH REINISCH, Derivatively on  
Behalf of BIOPURE CORPORATION,

v. Plaintiff,

THOMAS A. MOORE, CARL W. RAUSCH,  
DAVID N. JUDELSON, CHARLES A.  
SANDERS, M.D., C. EVERETT KOOP,  
M.D., DANIEL P. HARRINGTON and  
J. RICHARD CROUT, M.D.,

Defendants,

and

BIOPURE CORPORATION, a Delaware  
Corporation,

Nominal Defendant

TO: (Name and address of Defendant)

04 SUMMONS IN A CIVIL CASE 10215 NG

CASE NUMBER:

SERVE AT:

CARL W. RAUSCH  
Biopure Corporation  
11 Hurley Street  
Cambridge, MA 02141Carl W. Rausch  
7 Alexander Avenue  
Belmont, MA 02478

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

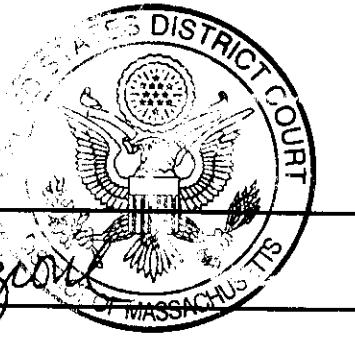
Mary T. Sullivan  
SEGAL ROITMAN & COLEMAN  
11 Beacon Street, Suite 500  
Boston, MA 02108  
617/742-0208

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

TONY ANASTAS

CLERK

(By) DEPUTY CLERK



JAN 29 2004

DATE